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Poultry and Products

EC amends poultrymeat product standards and publishes a marketing proposal

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Report Highlights:

The implementation of the Single Marketing Organization (CMO) Regulation (EC) No 1234/2007 for poultry on July 1, 2008, is accompanied by the publication of the new Regulation (EC) No 543/2008 including updated detailed poultry product and labeling standards.

The push in the Trans-Atlantic Economic Council (TEC) to end the EU's ban on U.S. poultrymeat, processed using a Pathogen Reduction Treatment (PRT), also triggered an amendment to the EU poultrymeat marketing Regulation. This proposal for the amendment of the Single Common Market Order Regulation (EC) No 1234/2007 has now been published.

Includes PSD Changes: No
Includes Trade Matrix: No
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Implementation of the Single CMO for poultry

On June 16, 2008, [Commission Regulation \(EC\) No 543/2008](#)¹, replacing [Commission Regulation \(EEC\) No 1538/91](#)² was published in the Official Journal. This Regulation holds detailed rules for the application of marketing standards for poultrymeat as the Single Common Market Organization (CMO) [Council Regulation \(EC\) No 1234/2007](#)³ is replacing [Council Regulation \(EEC\) No 1906/90](#)⁴.

Definitions in Articles 1-3 and product standards are mostly unchanged, although some meaningful updates and additions to reflect more recent labeling⁵ and hygiene⁶ legislation, especially in the added Article 5, are noticed. Notably, in point 1 of Article 7, for fresh poultry, “no traces of prior chilling” replaces “no traces of prior freezing” in the prior regulation. More comprehensive traceability requirements are added, specifically on feed suppliers and hatcheries. Strict standards for water absorption and water content are included, especially for frozen poultrymeat.

Further legislative initiatives for lifting the import ban for U.S. poultry

As suggested in the Transatlantic Economic Council (TEC), the European Commission (EC) tabled a proposal for the approval of Pathogen Reduction Treatments (PRTs) to end the decade-old European ban on U.S. poultry imports. According to Commission officials, the approval of PRTs still would not allow the marketing in the EU of PRT-treated poultry because of EU marketing rules. Therefore, a further amendment to the marketing regulation is needed. Indeed, the definition of “poultrymeat” in the European marketing [Regulation \(EC\) No 1234/2007](#)⁷ defines poultrymeat as “which has not undergone any treatment other than cold treatment.” As a result, even if PRTs were approved, poultrymeat having received PRT treatment could not be legally sold on the European market without changing this definition. Hence the need for this proposal [COM\(2008\) 336 final](#)⁸, amending the EU poultrymeat definition.

The EU poultrymeat marketing regulation has faced several problems in past years beyond the PRT treatment issue. Problems have been encountered with thawed poultrymeat, after having been frozen, that was sold as “fresh” under the current definition, despite Article 5 in marketing [Regulation \(EEC\) No 1538/91](#). The marketing regulation did also not adequately regulate the marketing of “salted” poultry imports. All of these flaws are being addressed in the amendment proposal.

The explanatory memorandum accompanying the marketing amendment draft, however, stipulates that in the event the Commission’s proposal to authorize the use of PRT’s is not adopted, it will withdraw the proposed amendment to the poultrymeat definition. The Commission’s proposal for the approval of PRTs was rejected at the Standing Committee for the Safety of Food Chain and Animal Health (SCFAH) meeting on June 3, 2008, by twenty six out of twenty seven EU Member States with one abstention from the United Kingdom.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:157:0046:0087:EN:PDF>

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31991R1538:EN:HTML>

³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:299:0001:0149:EN:PDF>

⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31990R1906:EN:HTML>

⁵ [Directive 2000/13/EC](#) - [http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:109:0029:0042:EN:PDF)

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:109:0029:0042:EN:PDF](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:109:0029:0042:EN:PDF)

⁶ [Regulation \(EC\) No 853/2004 of the Council and the European Parliament](#) - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2004R0853:20071114:EN:PDF>

⁷ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:299:0001:0149:EN:PDF>

⁸ <http://register.consilium.europa.eu/pdf/en/08/st10/st10351.en08.pdf>

The Commission has indicated its intention to forward the proposal to the Council under the consultation procedure with the European Parliament.

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